



**NOTICE OF DETERMINATION**  
**CORE PARTICIPANT APPLICATION**  
**MODULE 8 - CHILDREN AND YOUNG PEOPLE**  
**EVERY CHILD PROTECTED AGAINST TRAFFICKING (ECPAT UK)**

**Introduction**

1. In my [Opening Statement](#) on 21 July 2022, I explained that Modules would be announced and opened in sequence, with those wishing to take a formal role in the Inquiry invited to apply to become Core Participants for each Module. On 21 May 2024, the Inquiry opened Module 8 and invited anyone who wished to be considered as a Core Participant to that Module to submit an application in writing to the Solicitor to the Inquiry by 17 June 2024.
2. The Inquiry has published the [Provisional Outline of Scope for Module 8](#), which states that this module will examine the impact of the pandemic on children and young people across society in the UK. This will include education, health and social care, the criminal justice system and the immigration system. Module 8 will also examine the extent to which children and young people were considered as part of decision-making in response to the pandemic and the wider and long term impact of those decisions on children and young people. Further Modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 17 June 2024, the Inquiry received an application from Every Child Protected Against Trafficking (ECPAT UK) (the "Applicant") for Core Participant status in Module 8.
4. I made a provisional decision not to designate ECPAT UK as a Core Participant in Module 8 on 8 July 2024 (the "Provisional Decision"). ECPAT UK was provided with an opportunity to renew the application in writing by 15 July 2024 at 4pm.

5. The Applicant did not renew the application by the prescribed deadline. Accordingly, this Notice sets out my final decision on the application.

## **Application**

6. Applications for Core Participant status are considered in accordance with Rule 5 of the Inquiry Rules 2006, which provides:

*5.—(1) The chairman may designate a person as a core participant at any time during the course of the inquiry, provided that person consents to being so designated.*

*(2) In deciding whether to designate a person as a core participant, the chairman must in particular consider whether—*

- (a) the person played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates;*
- (b) the person has a significant interest in an important aspect of the matters to which the inquiry relates; or*
- (c) the person may be subject to explicit or significant criticism during the inquiry proceedings or in the report, or in any interim report.*

*(3) A person ceases to be a core participant on—*

- (a) the date specified by the chairman in writing; or*
- (b) the end of the inquiry.*

7. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I have considered whether the application fulfils the requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 8.

## **Summary of Application**

8. ECPAT UK was established in 1994 and has been a registered charity since 2004. Its aim is to enhance protection for children from trafficking and exploitation. The Applicant's work includes research, campaigning, advocacy and the provision of support to young people.
9. ECPAT UK's application is made pursuant to Rules 5(2)(a) and (b) of the Inquiry Rules 2006. The Applicant submits that it played a direct and significant role in the

pandemic by monitoring the impact of pandemic-related measures on child victims of trafficking and exploitation and in advocating for the strengthening of protections for such young people. This included highlighting to public authorities the accelerated risks of children falling victim to sexual exploitation and grooming online and publishing a review with the Independent Anti-Slavery Commissioner on the increased prevalence of child trafficking and exploitation during the pandemic as well as coordinating letter writing campaigns and giving evidence to the Education Select Committee. The Applicant also states that it brought legal proceedings challenging Kent County Council's discharge of its children protection duties and the use of hotels by the Home Office to house unaccompanied asylum-seeking children.

10. The Applicant further submits that given its charitable remit, its direct work with children and young people, and its work in law and policy development concerning child protection and welfare, it has a significant interest in important aspects of the Terms of Reference for this Module. This includes: the disparate effect of the pandemic on children and on migrant children; government preparedness, planning, and response in respect of online safety, public health, and child care and protection systems; and the immigration and asylum processes.
11. The Applicant submits that it will be able to provide evidence in respect of the first, third, fourth, fifth, seventh, and eighth topics to be examined in Module 8 as set out in the Provisional Outline of Scope. The Applicant also submits that it will be able to collate evidence from other organisations who have not applied for Core Participant status.

### **Decision for the Applicant**

12. I have considered with great care everything that is said in ECPAT UK's application. Having done so, in my discretion, I consider that the Applicant does not meet the criteria set out in Rule 5 for designation as a Core Participant in Module 8 and, therefore, I have decided not to designate ECPAT UK as a Core Participant in Module 8.
13. Module 8 will examine the impact of the pandemic on children and young people across society including those from a diverse range of ethnic and socio-economic

backgrounds. It will include an examination of the decision-making and the impact of those decisions in the areas set out in the Provisional Outline of Scope, including children and young people in contact with the immigration system and children and young people in relation to their access to the internet, social media, and online resources. I wish to repeat my ongoing commitment, as set out in the Terms of Reference and repeated in my Opening Statement, that inequalities will be at the forefront of the Inquiry's investigations. In Module 8, this will encompass consideration of the position of particularly vulnerable children.

14. I do not consider that the Applicant played a direct and significant role in relation to matters to which this Module relates. Specifically, its work with children and young people who have been trafficked or who are at risk of exploitation (and the insight this brings into the lives of those children and young people during the pandemic) and in advocating for the strengthening of protections, whilst no doubt important, does not in my view amount to undertaking a direct and significant role in the events, decisions and other developments set out in the Module 8 Provisional Outline of Scope.
15. I do accept that the Applicant has a significant interest in respect of those children who have been trafficked or who are at risk of exploitation. I accept that this was one of a number of particularly vulnerable groups of children and young people during the pandemic. However, I nonetheless exercise my discretion to decline the application. This is because I am not obliged to designate any particular person or organisation as a Core Participant even if it has a demonstrable interest in matters within the scope of a module.
16. I am determined to run the Inquiry as effectively and efficiently as possible, bearing in mind the Inquiry's wide-ranging Terms of Reference and the need for the Inquiry process to be rigorous and fair. Given the vast numbers of people and organisations who were involved with, or adversely affected by, the Covid-19 pandemic, very many organisations in this country could potentially have an interest in the Inquiry. Not everyone can be granted Core Participant status for the purposes of this Inquiry.
17. I have granted Core Participant status to the Coram Group of charities and to a group of charities consisting of Save the Children UK, Just for Kids Law, the Children's Rights Alliance for England, the Centre for Young Lives, and the Child Poverty Action Group. I

have granted these organisations Core Participant status on the basis that they will be able to represent and assist in informing the Inquiry's approach to different groups of vulnerable and disadvantaged children. This includes those children who were at particular risk because (for example, they were in care during the pandemic or because they were less visible during the pandemic). I am satisfied that the participation of this large number of organisations equips the Inquiry in its work in relation to the most vulnerable children in society.

18. It is not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry. The Applicant may have relevant information to give in relation to the matters being examined in the Inquiry and the Inquiry is currently engaging with a range of individuals, organisations and bodies to seek information, to gain their perspectives on the issues raised in the modules and, where appropriate, to ask for witness statements and documents.
19. For all of those reasons, having considered all of the information provided by the Applicant, in light of the Provisional Outline of Scope for Module 8, I consider that ECPAT UK did not play a direct and significant role in relation to the matters sought to be investigated in Module 8, nor does ECPAT UK have a significant interest in an important aspect of the matters to which Module 8 relates. I have therefore decided that ECPAT UK should not be designated as a Core Participant in Module 8 and I confirm that this is my final decision.
20. I will keep the scope of Module 8 under review. My decision not to designate ECPAT UK as a Core Participant in Module 8 does not preclude it from making any further applications in respect of any later modules. I will consider any future applications the Applicant may wish to make on their merits at the time they are made.

**Rt Hon Baroness (Heather) Hallett DBE**  
**Chair of the UK Covid-19 Inquiry**  
**7 August 2024**